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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
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11 JOSHUA DAVIS BLAND,
12 Plaintiff,
13 v.
14 PIERSON, et al.,
15 Defendants.
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No. 2:20-CV-1165-DAD-DMC-P

ORDER

17 Plaintiff, a prisoner proceeding pro se, brings this civil rights action pursuant to
18 42 U.S.C. § 1983. Pending before the Court is Plaintiff's request for production of documents,
19 ECF No. 49. Also before the Court is Plaintiff's filing entitled "Motion for Reconsideration,"
20 ECF No. 54.

21 Pursuant to Eastern District of California Local Rule 250.3, requests for
22 production of documents shall not be filed unless and until there is a proceeding in which the
23 request is at issue. Here, there is no such proceeding, such as a motion to compel responses,
24 which would place Plaintiff's discovery request at issue. Therefore, Plaintiff's filing at ECF No.
25 49 will be stricken.

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1 In his “Motion for Reconsideration,” Plaintiff asks the Court to excuse the
2 “untimely request for production of documents,” apparently referring to his filing at ECF No. 49
3 discussed above. See ECF No. 54, pg. 1. To the extent Plaintiff seeks additional time propound
4 discovery requests, Plaintiff’s motion will be denied. The Court issued a discovery and
5 scheduling order on January 1, 2022. See ECF No. 37. That order permitted the parties to
6 conduct discovery through July 25, 2022. See id. at 2. All discovery requests were to have been
7 served by this date, with motions to compel due within 60 days thereafter. See id. Here,
8 Plaintiff’s current “Motion for Reconsideration” was filed on September 8, 2022, which is after
9 expiration of the time allowed to conduct discovery. Because Plaintiff did not file his motion
10 before expiration of the time to conduct discovery, the Court declines to re-open discovery.
11 Discovery is closed and dispositive motions have been filed and are fully briefed.

12 Accordingly, IT IS HEREBY ORDERED as follows:

- 13 1. Plaintiff’s request for production of documents, ECF No. 49, is stricken.
- 14 2. Plaintiff’s “Motion for Reconsideration,” construed as a motion for
15 additional time to conduct discovery, ECF No. 54, is denied.
- 16 3. The Clerk of the Court is directed to terminate ECF Nos. 49 and 54 as
17 pending motions.

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19 Dated: June 8, 2023



20 DENNIS M. COTA
21 UNITED STATES MAGISTRATE JUDGE
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